

**STATE OF NEW JERSEY**  
**EXECUTIVE DEPARTMENT**  
**A PLAN FOR THE TRANSFER OF THE AMISTAD COMMISSION AND ITS**  
**FUNCTIONS, POWERS, AND DUTIES FROM THE DEPARTMENT OF STATE TO**  
**THE DEPARTMENT OF EDUCATION**

PLEASE TAKE NOTICE that on June 29, 2011, Governor Chris Christie hereby issues this Reorganization Plan, No. 004-2011 (the "Plan"), to transfer the Amistad Commission (hereinafter referred to as the "Commission") from the Department of State to the Department of Education (the "Department"), thereby promoting efficiency and effectiveness in the execution of its important mission and responsibilities. This Plan furthers the ongoing efforts of the Administration to streamline and make more effective the operations of the Executive Branch in the interests of efficiency and economy, and to organize, group, and coordinate the agencies and functions of the Executive Branch according to major purposes so as to promote the better execution of the laws.

**GENERAL STATEMENT OF PURPOSE**

The purpose of this Plan is to improve efficiency and quality in the performance of the responsibilities of the Amistad Commission by relocating it within the Department of Education. The Commission was established pursuant to P.L. 2002, c. 75, as amended (C.52:16A-86 et seq.), in order to, inter alia, coordinate educational and other programs to promote awareness of the dehumanizing atrocities associated with the African slave trade, the legacy of slavery, and the positive contributions of African-Americans in building our country. More specifically, the Commission is charged with assisting educators in implementing the policy of the State of New Jersey that the history of the African slave trade and slavery in America, the depth of their impact on our society, and the triumphs of African-Americans and their significant contributions to the development of this country are the proper

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concern of all people, and particularly students enrolled in the schools of the State of New Jersey.

Currently, the Commission is allocated within the Department of State, which is responsible for a variety of important functions including preserving and promoting the State's arts, history, and culture, as well as overseeing elections and promoting economic development and business-related assistance. In recognition of the Commission's significant educational mission, the Department of Education is currently required, pursuant to sections 2 and 3 of P.L. 2002, c. 75 (C.52:16A-86 et seq.), to provide appropriate assistance to the Commission. Such assistance includes, but is not limited to, developing educational curricula, disseminating information to educators, administrators, and school districts, and conducting teacher workshops beneficial to the promotion of the mission of the Commission.

In order to improve efficiency and quality in the performance of the responsibilities of the Commission, this plan provides for the transfer of the Commission to the Department of Education. The Department of Education employs experts in curriculum development and, by virtue of its significant educational oversight responsibilities, is uniquely positioned to work with educators and disseminate information to school districts and teachers throughout the State. Moreover, pursuant to an Agreement between the Department of State and the Department of Education executed last year, the Department of Education has been successfully assisting in the performance of many of the responsibilities undertaken in the past solely by the Department of State. Accordingly, this Plan transfers the Amistad Commission, along with all of its functions, powers,

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duties, and personnel, from the Department of State to the Department of Education. The Department of State and the Department of Education will continue their cooperation with respect to the Commission as contemplated by sections 2 and 3 of P.L. 2002, c. 75 (C.52:16A-86 et seq.).

NOW, THEREFORE, in accordance with the provisions of the "Executive Reorganization Act of 1969," P.L. 1969, c. 203 (C.52:14C-1 et seq.), I find, with respect to the transfer, consolidation, and reorganization provided for in this Plan, that they are necessary in order to accomplish the purposes set forth in Section 2 of that Act and will do the following:

1. Promote the better execution of the laws, the more effective management of the Executive branch and of its agencies and functions, and the expeditious administration of the public business;
2. Promote economy consistent with the efficient operation of the Executive;
3. Increase the efficiency of the operations of the Executive;
4. Group, co-ordinate, and consolidate functions of the Executive according to major purposes; and
5. Eliminate overlapping and duplication of effort.

**PROVISIONS OF THE REORGANIZATION PLAN**

THEREFORE, I hereby order the following reorganization:

1. The Amistad Commission created pursuant to P.L. 2002, c. 75, as amended (C.52:16A-86 et seq.) is transferred from the Department of State to the Department of Education.

2. The terms of offices of all existing members of the Commission shall not be affected. All of the powers, functions, and duties exercised by the Commission are continued; provided,

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however, that notwithstanding the provisions of subsection (d) of section 2 of P.L. 2002, c. 75 (C.52:16A-87(d)) to the contrary, the Commissioner of Education shall serve as chair of the Commission and the Secretary of State shall serve as vice-chair of the Commission. Consistent with section 2 of P.L. 2002, c. 75 (C.52:16A-87), the New Jersey Historical Commission shall continue to advise and provide recommendations to the Amistad Commission, as appropriate.

3. All files, books, papers, records, equipment, other property held by the Commission, including, without limitation, funds and other resources, and personnel are transferred to the Department of Education, pursuant to the "State Agency Transfer Act," P.L. 1971, c.375 (C.52:14D-1 et seq.), and any funds are to be deposited in such accounts as may be required by law.

4. Whenever, in any law, rule, regulation, contract, order, document, judicial or administrative proceeding, or otherwise, reference to the Amistad Commission allocated within the Department of State is made, the same shall mean the Amistad Commission allocated within the Department of Education, except where the context clearly requires otherwise.

**GENERAL PROVISIONS**

1. I find that each aspect of this reorganization is necessary to accomplish the purposes set forth in section 2 of P.L. 1969, c.203. Specifically, this reorganization will promote economy to the fullest extent consistent with the efficient operation of the Executive Branch according to major purposes. It will group, coordinate, and consolidate functions in a more consistent and practical manner and eliminate overlapping and duplication of functions.

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2. Any section or part of this Plan that conflicts with Federal law or regulations shall be considered null and void unless and until addressed and corrected through an interagency agreement, Federal waiver, or other means.

3. All acts and parts of acts and reorganization plans or parts of reorganization plans inconsistent with the provisions of this Plan are superseded to the extent of such inconsistencies.

4. If any provision of this Plan, or the application thereof to any person, or circumstance, or the exercise of any power or authority thereunder, is held invalid or contrary to the law, such holding shall not affect other provisions or applications of the Plan, or affect other exercises or power or authority under such provisions not contrary to law. To this end, the provisions of this Plan are declared to be severable.

5. This Plan is intended to protect and promote public health, safety, and welfare, and shall be liberally construed to attain the objectives and effect the purposes thereof.

6. All transfers directed by this Plan shall be effected pursuant to the "State Agency Transfer Act," P.L. 1971, c.375 (C.52:14D-1 et seq.).

7. A copy of this Reorganization Plan was filed on June 29, 2011 with the Secretary of State and with the Office of Administrative Law for publication in the New Jersey Register. This Plan shall become effective at the end of a period of 60 calendar days after the date of filing, unless disapproved by each House of the Legislature by the passage of a concurrent resolution stating in substance that the Legislature does not favor this Reorganization Plan, or at a date later than the end of such 60-calendar day period after the date of filing, should

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the Governor establish such a later date of the Plan, or any part thereof, by Executive Order.

**PLEASE TAKE NOTICE** that this Plan, if not disapproved, has the force and effect of law and will be printed and published in the annual edition of the Public Laws and in the New Jersey Register under the heading of "Reorganization Plans."